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EXAMINER

WOO, ISAAC M

ART UNIT PAPER NUMBER

2172

DATE MAILED: 11/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/684,907

Applicant(s)

THOMPSON ET AL.

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-19, drawn to a system for configuring the project of product based upon database rule-based using user interface, database accessing and classified in class 707, subclass 1.
  - II. Claim 20, drawn to a system for Internet portal e-commerce transactions, allow Internet user can configure products and ordering products via Internet, e-business shopping, classified in class 705, subclass 26.
2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I can be used for configuring the project of product based upon database rule-based using user interface and database accessing. Invention II can be used for Internet portal e-commerce transactions, allow Internet user can configure products and ordering products via Internet and e-business shopping. See MPEP 806.05(d).

3. Because inventions are distinct for reasons given above and have acquired separate status in the art as shown their different classification, restriction for examination purpose as indicated is proper.
4. During telephone conversation with Mr. Eric Olive on September 25, 2002, provisional election was made with traverse to prosecute the invention of Group I claims 1-19. Affirmation of this election must be made by applicant in replying to this Office Action. The claim 20 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.
5. Applicants is reminded that upon the cancellation of claims to be non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (i).

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Lantzenheiser et al (U.S. Patent No. 6,351,734, hereinafter, "Lantzenheiser").

With respect to claim 1, Lautzenheiser discloses that the system comprising:  
user interface (col. 2, lines 36-57) , wherein the user interface receives input data for a desired configuration (project), see (108, FIG. 1, FIG. 6, FIG. 7A, col. 4, lines 7-67 to col. 5, lines 1-37); and

frame engine (102, FIG. 1, FIG. 2, FIG. 4), receiving data input from the user interface, wherein the frame engine outputs configuration data to the user interface in response to a frame engine-based interface of the input data, see (FIG. 1, FIG. 2, FIG. 4, col. 4, lines 8-67, col. col. 5, lines 37-67,col. 6, lines 49-67 to col. 7, lines 1-26).

With respect to claim 2, Lautzenheiser discloses the database coupled to the frame engine, storing configuration data selectively retrieved for output in response to inferences made by the frame engine, see (col. 2, lines 13-57, col. 4, lines 8-22).

With respect to claim 3, Lautzenheiser discloses the frame engine subjects configuration data to be output to the user interface to pertinent rule-based inferences before being output to the user interface, see (FIG. 4, col. 6, lines 49-67 to col. 7, lines 1-39).

With respect to claim 4, Lautzenheiser discloses the rule engine, coupled to the frame engine, wherein the rule engine subjects selected configuration data to be output to the user interface to pertinent rule-based inferences before being output to the user interface, see (FIG. 4, col. 6, lines 49-67 to col. 7, lines 1-39).

With respect to claims 5 and 18, Lautzenheiser discloses that the frame engine represents data concerning configuration in a hierarchical structure, with frame corresponding to configuration categories, wherein the frames acts as node of the hierarchical structure containing a collection of slots corresponding to configuration features and options, see (col. 8, lines 26-64).

With respect to claim 6, Lautzenheiser discloses that the database stores data representative of product knowledge pertaining to products that may be configured by the system, see (FIG. 1, col. 4, lines 8-59, col. 1, lines 60-67 to col. 2, lines 1-57).

With respect to claim 7, Lautzenheiser discloses that the database stores a plurality of questions for selectively output the user interface based on frame-based inferences made by the frame engine in response to answers input through the user interface, see (col. 2, lines 13-57, col. 4, lines 8-22).

With respect to claim 8, Lautzenheiser discloses that the system comprising:  
data analysis subsystem pertaining analysis of configuration data to be output to the user interface (FIG. 1, FIG. 4, col. 4, lines 8-67 to col. 5, lines 1-37, col. 6, lines 49-67 to col. 7, lines 1-40); and

graphics formatting output subsystem providing graphical representations of configuration data output to the user interface, see (FIG. 1, FIG. 4, FIG. 5, col. 4, lines 8-67 to col. 5, lines 1-37, col. 6, lines 49-67 to col. 7, lines 1-40).

With respect to claim 9, Lautzenheiser discloses that the data analysis subsystem comprises a pricing engine (budget) providing data corresponding to the configuration data output to the user interface, see (FIG. 5, FIG. 13A-B, FIG. 14, col. 11, lines 21-67 to col. 12, lines 1-21).

With respect to claim 10, Lautzenheiser discloses that the graphics formatting output subsystem comprises a parametric drawing engine providing illustrations of configuration data to the user interface, see (FIG. 5, FIG. 4, col. 4, lines 8-67 to col. 5, lines 1-37, col. 6, lines 49-67 to col. 7, lines 1-40).

With respect to claims 11 and 17, Lautzenheiser discloses that the method and article of manufacturing for machine-readable storage medium of configuring a project, the comprising the steps of:

accessing a user interface, see (108, FIG. 1, col. 4, lines 8-67 to col. 5, lines 1-37);

initiating a project for configuration, see (FIG. 5, FIG. 6, col. 8, lines 1-22-65);

configuring the project by entering in response to project selections, see (FIG. 5, FIG. 6, col. 8, lines 1-22-65);

performing a frame-based inference in response to project selections (502, FIG. 5) made in the configuring step, see (FIG. 4, FIG. 5, col. 6, lines 49-67 to col. 7, lines 1-67); and

outputting project configuration data to the user interface based on inferences made (504, 506, 508, 510, FIG. 5) in the performing step, see (FIG. 1, FIG. 4, FIG. 5, col. 4, lines 8-67 to col. 5, lines 1-36, col. 8, lines 22-45).

With respect to claim 12, Lautzenheiser discloses that configuring step involves answering a plurality of questions presented, wherein the questions to be presented during the configuring step are stored in a database and selected for presentation based on inferences made in said performing step, see (FIG. 5, col. 8, lines 26-64).



With respect to claim 13, Lautzenheiser discloses that the configuring step further comprises the substep of presenting preferred answers to select questions presented on the user interface, see (FIG. 3A-B, col. 6, lines 1-47, FIG. 5, col. 8, lines 26-64).

With respect to claim 14, Lautzenheiser discloses that the performing step further comprises the substep of performing a rules-based inference in response to project selections made in said configuring step, see (FIG. 3A-B, col. 6, lines 1-47, FIG. 5, col. 8, lines 26-64).

With respect to claim 15, Lautzenheiser discloses that the configuring step further comprises the substeps of graphically selecting parameters to configure the project based upon graphic representations of variations of characteristics of components to be selected for the project, see (FIG. 3A-B, col. 6, lines 1-47, FIG. 5, col. 8, lines 26-64, FIG. 4, col. 6, lines 49-67 to col. 7, lines 1-67); and

manipulating schematically configured illustrations of components to be selected for the project, see (FIG. 3A-B, col. 6, lines 1-47, FIG. 5, col. 8, lines 26-64, FIG. 4, col. 6, lines 49-67 to col. 7, lines 1-67).

With respect to claim 16, Lautzenheiser discloses that wherein the project to be configured includes a custom product (col. 1, lines 60-67 to col. 2, lines 1-57), the method further comprising the steps of:

accessing a catalog page to display graphical and textual information pertinent to the product to be configured, see (FIG. 6, col. 8, lines 26-45);

accessing a custom shapes editor to size a product upon configuration and to select a customized combination of dimensional parameters for said product, see (FIG. 4, col. 6, lines 49-67 to col. 7, lines 1-67);

accessing an accessories module containing product accessory information, see (FIG. 3A-B, col. 6, lines 1-49); and

producing technical specifications containing technical information regarding the project as configured, see (FIG. 7A, col. 8, lines 46-67 to col. 9, lines 1-32);

With respect to claim 19, Lautzenheiser discloses that the performing step comprises the substep of subjecting selected configuration data of the project to pertinent rules-based inferences, see (FIG. 3A-B, col. 6, lines 1-49).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mukherjee et al (U.S. Patent No. 5,311,424) discloses the system for multiple products configurations.

Bieganski et al (U.S. Patent No. 6,412,012) discloses the system for based on user preference, the system develops custom products.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW  
October 23, 2002

  
SHAHID AL ALAM  
PATENT EXAMINER